

## REMARKS

The following remarks address the issues in the Office Action dated June 22, 2011. Applicants respectfully request reconsideration of the present application in view of the remarks herewith. Claims 1, 3, 4, 6, and 10-15 remain pending.

### **Rejections of Claims 1, 3, 4, 6 and 10-14 under 35 U.S.C. 103 (a)**

The Examiner rejected Claims 1, 3, 4, 6 and 10-14 under 35 U.S.C. 103(a) as allegedly unpatentable over U.S. Patent No. 5,766,188 to Igaki ("Igaki") in view of U.S. Patent No. 6,984,242 to Campbell *et al.* ("Campbell"), and in view of Vivian Hoxboro (Domino Knitting, Interwave Press, 2002, pages 2-3; "Hoxboro").

In the last response filed on April 8, 2011, Applicants submitted the arguments that Igaki and Campbell, even in combination, still fail to teach or suggest at least some features of Claims 1, 3, 4, 6 and 10-14, and therefore these claims are patentable over the cited art. The deficient features in the art include, but are not limited to, that "at the sewing end, a loop next to the sewing end does not pass through another loop anterior to the loop next to the sewing end". In response, the Examiner indicated in the pending Office Action that the Applicants' arguments are persuasive, and therefore withdrew the rejection (see page 7 of the pending Office Action, "Response to Arguments").

However, the Examiner cited a new reference to Vivian Hoxboro in the pending rejections, and asserted that Hoxboro would cure the deficiencies of Igaki and Campbell. More particularly, the Examiner asserted that Hoxboro teaches that the thread end is thread through a loop that does not go through another loop without forming a knot in order to keep the thread contained and secure but yet still allow it to be easily removable to either release the stitch or continue stitching. As evidence of this alleged teaching, the Examiner relied upon the basic square 1 in Hoxboro where the last row of the square-shaped knitting project is finished by the binding-off technique, and asserted that it is known in the art of stitching to bind off the stitch and thread the end of the stitch through a loop at the end that wouldn't be involved with another loop in order to temporarily secure the stitch (emphasis underlined).

Applicants respectfully submit that the binding-off technique requires that at the sewing end the loop next to the sewing end passes through another loop, which is anterior to the loop next to the sewing end, and this is opposite to the features according to the pending claims. For instant reference showing the foregoing binding-off technique, Applicants present the following

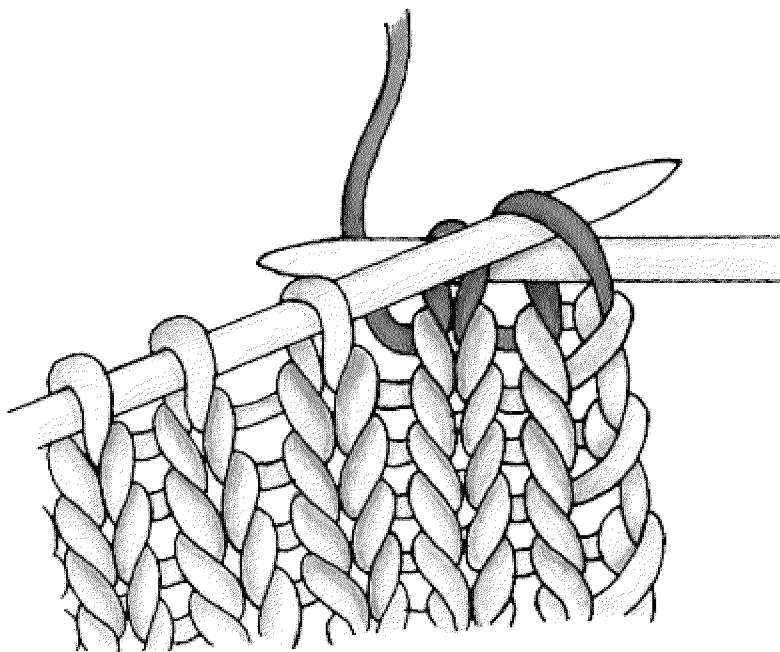
illustration, which were retrieved from <http://tlc.howstuffworks.com/home/how-to-knit6.htm> (copy of this illustration is also enclosed in the accompanying Information Disclosure Statement).

#### Binding-Off Technique

**Step 1:** Hold the needle with stitches in your left hand and the empty needle in your right hand. Hold the yarn in position for the knit stitch, behind your work.

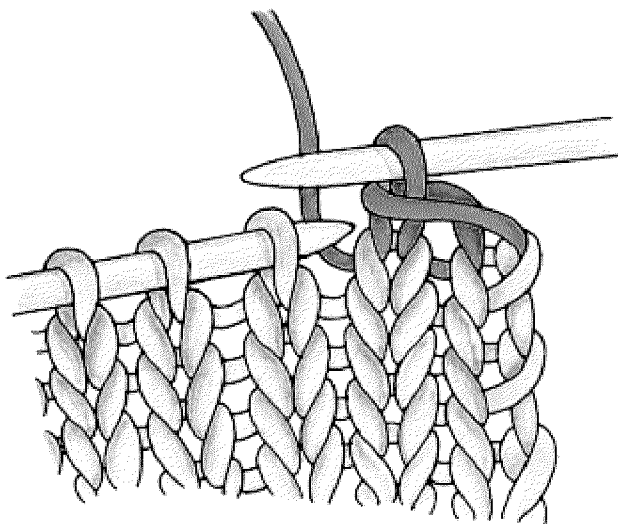
**Step 2:** Knit the first 2 stitches.

**Step 3:** Insert the left needle from left to right into the front loop of the first stitch on the right needle (fig. 9a). **Note:** This is the stitch farther from the right needle tip.



Binding Off: Figure 9a

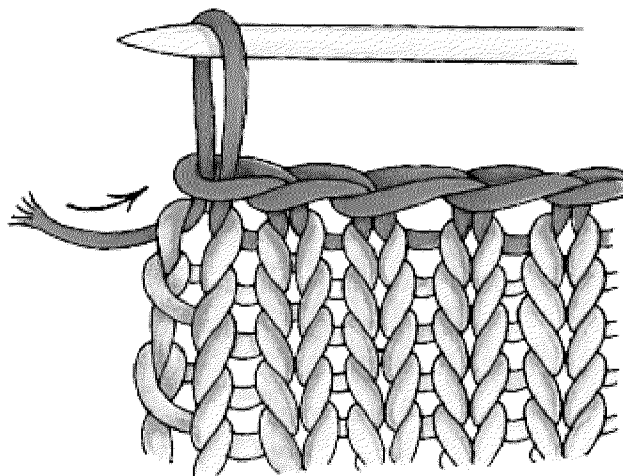
**Step 4:** Use the left needle to pull this stitch over the second stitch and drop it off the right needle. One stitch bound off; the second stitch remains on the right needle (fig. 9b).



Binding Off: Figure 9b

**Step 5:** Knit the next stitch.

**Step 6:** Repeat steps 3-5 until you have bound off all stitches from the left needle and 1 stitch remains on the right needle. Cut the yarn about 4 inches from the stitch, and pull the yarn tail through the last stitch (fig. 9c). Remove the needle and pull the yarn tail to tighten.



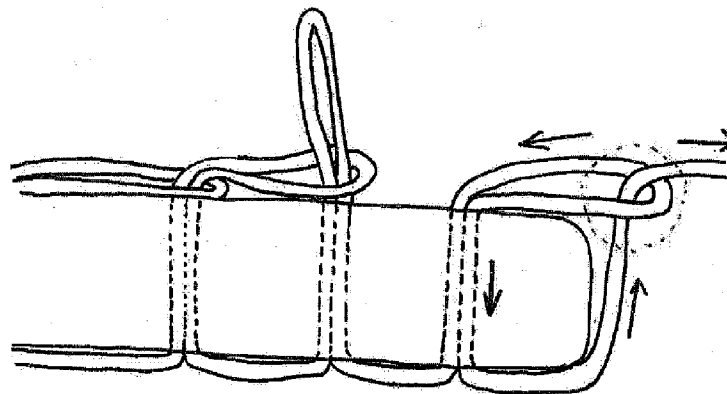
Binding Off: Figure 9c

The binding-off technique finishes the last row in knitting and secures the stitches so that needles can be removed. As seen above, this technique starts with knitting the first 2 stitches, and pulling the first stitch over the second stitch. Then the third stitch will be knitted and the second stitch will be pulled over the third stitch, and this step will be continued to bind off all the stitches.

By this stitching process, it results in that every stitch passes through another stitch that is anterior to the stitch. This process continues until the sewing end as seen in Step 6 and Figure 9c in the above. The last stitch (i.e. a loop next to the sewing end) passes through another stitch that is anterior to the last stitch. Accordingly, it is evident that in the binding-off technique the loop next to the sewing end passes through another loop, which is anterior to the loop next to the sewing end. In Hoxboro, the basic square 1, which was cited by the Examiner, appears to have the same bound-off edge as shown in the above Fig 9c. Accordingly, in Hoxboro, the loop next to the sewing end passes through its anterior loop.

In contrast, independent Claims 1 and 10 recite that at the sewing end, a loop next to the sewing end does not pass through another loop anterior to the loop next to the sewing end. For instant comparison, Applicants present an exemplary embodiment showing the foregoing features in the following illustration.

An exemplary embodiment of the presently claimed invention



As seen above, the loop next the sewing end (dotted) does not pass through another loop that is anterior to the loop next to the sewing end. The foregoing configuration is neither taught nor suggested in the newly cited reference by Hoxboro and in any of the previously cited art (i.e. Igaki and Campbell).

Accordingly, for at least the foregoing reasons, the subject matter of independent Claims 1 and 10, and their dependent Claims 3, 4, 6, and 11-14 are patentable over Igaki, Campbell and Hoxboro. Withdrawal of the rejections and reconsideration of the claims is therefore respectfully requested.

**Rejections of Claims 2 and 15 under 35 U.S.C. 103 (a)**

The Examiner rejected Claims 2 and 15 under 35 U.S.C. 103(a) as allegedly unpatentable over Igaki in view of U.S. Patent No. 2,811,299 to Swanson ("Swanson"), in view of Hoxboro, and in further view of U.S. Patent No. 6,083,097 to Oi *et al.* ("Oi").

Claim 2 was rejected over Igaki, Swanson and Oi in the previous Office Action dated December 8, 2010. In response, Applicants submitted on April 8, 2011 that the combination of all the cited art still fails to teach or suggest at least some features of Claim 1 including that "at the sewing end, a loop next to the sewing end does not pass through another loop anterior to the loop next to the sewing end", and accordingly Claim 1 and its dependent Claim 2 are patentable. The Examiner acknowledged that the Applicants' response is persuasive, and therefore withdrew the rejections over Igaki, Swanson and Oi (see page 7 of the pending Office Action, "Response to Arguments").

As discussed above, the new reference by Hoxboro also fails to teach or suggest the features of Claim 1 including that "at the sewing end, a loop next to the sewing end does not pass through another loop anterior to the loop next to the sewing end". Therefore, even in combination of all the cited art including Hoxboro, it still fails to teach or suggest all the features of Claim 1. Accordingly, Claim 1 is patentable over Igaki, Swanson, Oi and Hoxboro. Claim 2 and 15 are dependent from Claim 1, and incorporate all the features of the base Claim 1. Accordingly, for at least the same reasons that Claim 1 is patentable, Claims 2 and 15 are patentable over the art, in addition for their own patentable features. Withdrawal of the rejections and reconsideration of Claims 2 and 15 is therefore respectfully requested.

**Rejections of Claim 15 under 35 U.S.C. 103 (a)**

Claim 5 was rejected under 35 U.S.C 103(a) as allegedly unpatentable over Igaki in view of Swanson, in view of Hoxboro, and in further view of U.S. Patent No. 6,273,897 to Dalessandro *et al.* ("Dalessandro").

The Examiner withdrew the previous rejection of Claim 5 over Igaki, Swanson and Dalessandro in view of the response filed on April 8, 2011 where Applicants stated that Dalessandro cannot cure the deficiency of Igaki and Swanson (see page 7 of the pending Office Action, "Response to Arguments").

As stated above, Hoxboro also fails to cure the deficiency of Igaki and Swanson. Accordingly, even in combination of all the cited art, namely Igaki, Swanson, Hoxboro, and

Dalessandro, it cannot teach or suggest Claim 1 and its dependent Claim 5. Withdrawal of the rejection and reconsideration of Claim 5 is therefore respectfully requested.

### **Dependent Claims**

Although Applicants have not addressed all the issues of the dependent claims, Applicants respectfully submit that Applicants do not necessarily agree with the characterization and assessments of the dependent claims made by the Examiner, and Applicants believe that each claim is patentable on its own merits. Applicants respectfully submit that the dependent claims incorporate by reference all the limitations of the claim to which they refer and include their own patentable features, and are therefore in condition for allowance. Therefore, Applicants respectfully request the withdrawal of all claim rejections and prompts allowance of the claims.

### **No Disclaimers or Disavowals**

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicants reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

### CONCLUSION

Applicants have endeavored to address all of the Examiner's concerns as expressed in the outstanding Office Action. Accordingly, arguments in support of the patentability of the pending claim set are presented above. In light of the above remarks, reconsideration and withdrawal of the outstanding rejections is respectfully requested. If the Examiner has any questions which may be answered by telephone, he or she is invited to call the undersigned directly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: October 24, 2011

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